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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,030	07/07/2006	Yoshiki Takata	70404.98/ya	5035

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EXAMINER
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HUSAR, STEPHEN F

ART UNIT	PAPER NUMBER
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2875

NOTIFICATION DATE	DELIVERY MODE
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03/11/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JKEATING@KBIPLAW.COM  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/597,030	<b>Applicant(s)</b> TAKATA ET AL.	
	<b>Examiner</b> STEPHEN F. HUSAR	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 16-19, 23, 24, 26, 27 and 29-33 is/are pending in the application.
- 4a) Of the above claim(s) 18, 24 and 27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16, 17, 23 and 29-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see page 2 of the remarks, filed 12/02/2008, with respect to the rejection(s) of claim(s) 16,17,22,23,26,29-31 under 35 USC 102 and 103 have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the new limitations added to distinguish the claims over the art of record.

### ***Specification***

2. The disclosure is objected to because of the following informalities: On page 18, line 13, the "light reducing treatment 51" should be changed to "light reducing treatment 51A" as reference numeral "51" refers to the "reflective member" (see page 18, line 12) and "51A" refers to the "light reducing treatment" (see page 18, line 11).

Appropriate correction is required.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Therefore, the lighting device for a display device having both a reflective

member with a light reducing treatment in addition to a light frame which covers a portion of the curved portion of the light source as recited in claim 16 must be shown or the feature(s) canceled from the claim(s). In addition the elected Fig. 5 of the drawings must also show at least part of the curved portion of the light source located outside of the effective display region as recited in claim 32. In addition the elected Fig. 5 of the drawings must also show a light diffusing layer as recited in claim 33. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining

figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 16,17, 23, 29, and 30-33 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a lighting device for display devices having either a reflective member with a light reducing treatment on a side opposed to the display side of the curved or folded portion of light source lamp as shown in Fig.5 or at least part of the one of the curved portion and folded portion of the light source lamp covered with a lamp frame as shown in Figs. 1a and 2a, the specification does not reasonably provide enablement for a species of invention having both the reflective member with a light reducing treatment reducing the light

generated from a curved portion of the light source in addition to a lamp frame covering a curved portion of the light source as set forth in claim 16. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims. Claim 16 relies on two different embodiments to shield or reduce the light generated from the curved portion of the light source. Those embodiments are the reflective member with the light reducing treatment as shown in Fig.5 and the embodiments where the lamp frame covers part of lamp as shown in Figs. 1a and 2a. This combination of embodiments of the invention are not shown in the drawings, the original claims, or disclosed in the specification as originally filed. Clearly if the lamp frame (84) covered the curved portion of the lamp in Fig.5 there would be hidden lines represented on the curved portion of the lamp to show that that portion of the lamp was hidden or else the hidden portion of the lamp would be shaded the same tone as lamp frame (84) as was done on the right hand side of Fig.5. Note any change to the drawings or specification without a showing of support for those changes in the application as originally filed will constitute "new matter".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEPHEN F. HUSAR whose telephone number is (571)272-2371. The examiner can normally be reached on Mon-Fri from 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen F. Husar/  
Primary Examiner, Art Unit 2875